



**International covenant
on civil and
political rights**

Distr.
GENERAL

CCPR/C/SR.1531-1559/
Corrigendum
27 October 2000

ENGLISH

HUMAN RIGHTS COMMITTEE

Fifty-eighth session

SUMMARY RECORDS OF THE 1531st TO 1559th MEETINGS

Held at the Palais des Nations, Geneva,
from 21 October to 8 November 1996

Corrigendum

The present document contains the corrections received from participants and the Secretariat applying to the English text of the summary records of the meetings of the Human Rights Committee at its fifty-eighth session (CCPR/C/SR.1531 to 1559/Add.1).

With the issuance of the present corrigendum, the summary records of the meetings held by the Committee at its fifty-eighth session are to be considered as final.

1533rd meeting

Paragraph 5

Lines 3 and 4: *replace* the existing text *by* the following:

police had been amended on 1 January 1996 and that, henceforth, the police could not participate in the processing of complaints against the conduct of police personnel

Line 5: *replace* article 93, paragraphs *by* Part 93

Line 7: *replace* district prosecutors *by* the District Prosecutor

Lines 9 to 13: *replace* the existing text *by* the following:

initiating criminal proceedings. For example, when a person had died or has been seriously injured in the course of any police intervention or while in police custody, the case shall be investigated by the District Public Prosecutor within the framework of criminal justice procedures. Decisions taken by the District Public Prosecutors may be appealed to the Director of Public Prosecutions. The District Public Prosecutors and the Director of Public Prosecutions are part of the prosecution service and are independent of the police. In addition, regional control boards (police complaints boards) have been appointed, charged with carrying out continuous oversight of the District Public Prosecutors' processing of complaints against police personnel. Each of the regional complaints boards includes a lawyer and two laymen.

Lines 18 to 21: *replace* the existing text *by* the following:

anticipated before the implementation of the new scheme, the Ministry of Justice has proposed an increase of the Prosecution Service staff processing complaints against the police. The Finance Bill presupposes a doubling of staff, three posts being expected to be filled as early as 1 November 1996.

Page 2, paragraph 6, line 3: *insert* unarmed *after* assemble

Page 3, paragraph 6, line 10: *replace* threat *by* certain degree of danger

Page 3, paragraph 8

Lines 6 and 7: *replace* existing text *by* the following:

reasonable limits in relation to the danger inherent in the attack, the character of the aggressor, and the importance of the interests endangered by the attack. The same rules applied to

Line 12: *replace* Police Commission *by* Commissioner of Police

Lines 16 to 19: *replace* the existing text *by* the following:

Further, these regulations contain rules governing the reporting of the use of firearms, pursuant to which a written report shall be submitted to the National Commissioner as soon as practicable following any use of firearms or warning to use a firearm. The local Chief Constable is required to endorse the report and to make an assessment of the incident in view of the provisions of the Code of Practice. On the basis of reports submitted, the National Commissioner will draw up statistics on the use of firearms by police. Another administrative regulation governs the use of truncheons. The police shall only use truncheons if the purpose cannot be achieved through lesser means of intervention. Any use of a truncheon shall be reported to the Chief Constable. The latter is required to inform periodically the National Commissioner about the number of incidents in which a truncheon has been used. The National Commissioner has laid down

some administrative regulations about the police dog service, while currently no regulations have been laid down governing the use of police dogs as a forcible means, and the limitations on the use of dogs must therefore be established on the basis of the ordinary principles on the lawful use of force by police. However, the "Manual for Police Dog Handlers" contains a section on the tactical use of service dogs by police. The administrative regulations contain provisions on the obligation to report to the Chief Constable the use of police dogs for police dog duties. If police dogs have been used as a forcible means, the report shall be submitted immediately. Steps have been taken towards drawing up regulations concerning the use of police dogs as a forcible means, inasmuch as a draft Code of Practice has been prepared. Another administrative regulation governed by the use of truncheons.

Page 4, paragraph 8

Lines 1 to 5: *replace* the existing text by the following:

However, no administrative regulation had been issued on the use of handcuffs, but a code of practice had been established on the use of tear gas.

Paragraph 9

Lines 1 to 4: *replace* the existing text by the following:

9. Between 1990 and 1995, the following incidents have been subject to inquiry or have constituted infringements of the rules concerning the use of weapons: four cases of failure to observe the rules concerning the use of weapons by the police force had been subject to inquiries; upon investigation, however, no case had been found to justify disciplinary action or criminal prosecution. Three police officers

Line 9: *replace* under by , cf. section 721 of

Line 16: *replace* other decisions concerning liability by an attempt to place a legal liability.

Paragraph 13: replace the existing text by the following:

13. Ms. BURKØ (Denmark), replying to the question raised in the second part of paragraph (d), said that, in connection with an arrest, the police are required to enter the following into their records: According to sections 758 and 760 of the Administration of Justice Act, the time of arrest and of release must be entered into the police report. When a person is brought to the police station under arrest the duty officer must enter into the station's custody record the personal details of the arrested person, the time of arrest and of release, the name of the person who carried out the arrest, the grounds for the arrest, and the place to which the arrested person is brought (a detention centre, a detention cell, a waiting room). At the introduction of the computer-based daily occurrence report system, the custody record has been extended to contain spaces for entries on actions taken in connection with the arrest, for instance, if a police doctor has been called. After

the arrested person has been searched, entries must be made concerning cash and other items of value taken from him. When property is handed back to him later he must sign a receipt. At interviews which are not quite brief, the time they begin and end must be entered into the police report; by the same token, longer interruptions, including breaks, must be entered. It must be entered into the report that prior to being interviewed the charged person had been informed about the charge against him and that he is not obliged to say anything. It must be entered into the report that, prior to being interviewed, the person charged had been advised about access to legal advice from a publicly appointed duty lawyer. It will appear in the station's daily occurrence report which duty officer was in charge during the period when the arrested person was being detained. There are no provisions on entries concerning the condition of the arrested person when he was brought to the station or when he was released. However, such entries will be made if the condition of the arrested person is significant in connection with the charge brought against him or if it were out of the ordinary in other respects. There are no rules governing meals for persons detained in a police station. It is foreseen to introduce into the custody record of the daily occurrence report a code for actions taken where such entries may be made. In particular, concerning detained persons under the influence of alcohol, the National Commissioner has laid down administrative regulations on their treatment. If there are grounds to suspect that the detained person is ill or if the person has sustained visible injury of some significance, the person must be brought to a hospital forthwith. In other instances, a detained person under the influence of alcohol, must be examined by a doctor unless his condition and other circumstances indicate that such medical examination could be omitted without hesitation. A duty officer is responsible for the inspection of arrested persons placed in detention cells. As far as practicable, such inspection must be carried out every 30 minutes. It must be entered in the daily occurrence report system whether a doctor has been called to attend an arrested person placed in a detention cell; likewise, the duty officer can make the prescribed entry into the system that inspection has been carried out. Finally, it is noted that the Ministry of Justice has prepared a draft circular concerning information given to relatives or other persons on detained persons' access to a lawyer, and on detained persons' right to call for medical assistance.

Paragraph 14

Lines 5 to 8: *replace the existing text by the following:*

representatives of the police and the prosecution service, who have discussed a permanent change of the Criminal Records Office regulations governing the recording of sentences imposed on 15 to 17 year olds. The work of that group would soon be completed. The Ministry

Lines 11 to 13: *replace the existing text by the following:*

conjunction with a youth contract, inasmuch as the scheme will presuppose coordinated cooperation between individual police districts and local social services.

Paragraph 16, line 1:

Delete Since Greenland was unable to cover its own expenses.

Paragraph 19, lines 14 and 15

Replace the existing text *by* the following:

the German minority in Denmark, for example, had been authorized to receive subsidies with respect to classes of as few as 10 students.

Paragraph 20

Line 4: *replace* a special agency *by* The Schools and Language Association of the German minority.

Line 5: *replace* namely *by* e.g.

Paragraph 21

Lines 7 and 8: *replace* the existing text *by* the following:

contribute personally to any religion other than that of his own (art. 68), a provision which was also interpreted as guaranteeing this right to those who hold no religious beliefs.

Paragraph 22, line 15: insert in this way before recognized

1534th meeting

Paragraph 2

Line 2: *before* everyone *insert* in principle

Line 6: *replace* the existing text *by* the following:

religious community. In that case, the church tax would no longer be levied. Thus, no one was obliged to pay anything towards a religion.

Paragraph 5

Lines 1 to 5: *replace* the existing text *by* the following:

5. A number of questions had been asked about the problems caused for the Inuit inhabitants of Thule who had to move in connection with the establishment of the Thule airbase. In principle, the possibility had always been open for the people concerned to seek redress or compensation through the courts. However, this had not been the road

chosen. Instead, there had been political initiatives to improve living conditions in the area. For instance, a "nine-point programme" to that effect had in the mid-1980s been agreed on with representatives of the Inuit community and had been implemented.

Line 6: replace Kalak by Qanaaq

Paragraph 8, lines 4 to 6:

Replace the existing text by the following:

police should fire in the air instead of using dogs, if the warning shots did not have the desired effect and the crowd failed to disperse, the situation could develop in such a way that the police might either be forced to use their weapons against persons or else do nothing more.

Paragraph 12, lines 5 to 7:

Replace the existing text by the following:

the local Chief of Police, who forwarded an opinion to the National Commissioner. This opinion formed a basis of the National Commissioner's assessment of whether the specific use of the weapon was in compliance with the rules. Opinions and assessments also served as a basis for statistics, which would be published. In the event of any infringement of the rules, the necessary measures were taken according to the circumstances of the case.

Paragraph 13, line 4:

Replace Greenland Home Rule authority by Law Reform Commission

Paragraph 14, line 3:

After belonged insert or had an affiliation

Paragraph 17, line 4:

After cases insert the legal situation could be that

Page 5, paragraph 19

Line 2: replace close family members by spouses, minors or cohabitants normally

Line 4: replace the existing text by the following:

or her parents, provided they were over 60 years of age. A residence permit can be made conditional on the parents being able to support

Paragraph 20

Line 5: *before persons insert* As a rule,

Line 7: *replace were possible by* are made

Paragraph 21, line 4:

After Act insert if necessary for the expulsion.

Paragraph 22

Line 8: *after inmates delete* were

Line 9: *replace the existing text by the following:*

had an annual trip to Greenland if possible, and they were offered a weekly 10-minute telephone call to

Paragraph 25, line 2

Replace The rate for women *by* The rate for women and men

Paragraph 26

Line 3: *replace the existing text by the following:*

the decline had continued after the introduction of Home Rule in 1979. Demographic factors were

Line 6: *before social insert* health and

Paragraph 29

Line 2: *replace imposed by by* imposed with the approval of

Line 3: *replace court by* social services

Paragraph 32

Replace the existing text by the following:

Unlike photographs, fingerprints could only be identified by police forensic experts who had access to examine them. Thus, the keeping of fingerprints by police did not imply any infringement of the person in question. The use of photographs of innocent persons at press confrontations might, however, appear objectionable. One of the reasons for keeping fingerprints was to prevent innocent persons from being prosecuted.

Page 10, paragraph 54, line 6:

Replace the existing text by the following:

Had been unable to implement the arrangement as originally proposed.

1535th meeting

Paragraph 1, line 2

Replace Mr. Deane by Mr. Wong

Paragraph 7

Line 3: delete An act setting

Lines 4 and 5: replace the existing text by the following:

A bill had been introduced into the Legislative Council to enhance the powers of the Independent Police

Paragraph 9, line 6

Replace the existing text by the following:

year. Three parameters had been set for the cooperation

Paragraph 18

Line 11: delete However,

Line 12: after Nevertheless, delete as

Lines 13 to 16: replace the existing text by the following:

based on the Joint Declaration. This was a binding international agreement and the United Kingdom was entitled to monitor its implementation after June 1997. The Committee could rest assured that that was what it intended to do.

Paragraph 20, two last lines

Replace the existing text by the following:

and the same should happen in the High Court criminal cases in January 1997 and all Court of Appeal cases in July 1997.

Page 7, paragraph 21

Line 12: *replace Minister of by Chief*

Line 14: *replace the members by retired members*

Page 8, paragraph 21

Line 1:

Replace Minister of by Chief

Insert citizens after Chinese

1536th meeting

Paragraph 29

Line 7: *replace the Joint Declaration by Hong Kong*

Paragraph 30

Lines 8 and 9: *replace the existing text by the following:*

sovereignty and when that sovereignty and the consequent responsibility had in fact passed to another State. But the Committee's views in that

Line 10: *replace studied carefully, but in by studied carefully. In*

Page 7, paragraph 39

Line 3: *delete or amend it to give*

Line 4: *replace the existing text by the following:*

if amendments were made to the Bill to enable the IPCC to appoint key investigators to investigate complaints against the police, he said that it was the Government's firm

1548th meeting

Paragraph 6, lines 2 and 3

Replace the existing text by the following:

did not reflect the truth: for example, that terrorists were designated as political prisoners or prisoners of conscience

Paragraph 10

Line 3: *replace* the existing text *by* the following:

draft legislation. This emergency situation responds to a

Line 4: *after* to *delete* the

Line 5 should read: normal court procedures.

Paragraph 26, line 2

Replace with powers to grant *by* to recommend the granting of
